

SEP 10 2007

FarSightTM

Patent Services

Gary R. Fabian, Ph.D.
Registered U.S. Patent Agent
1163 Ruby Street
Redwood City, CA 94061
Telephone/Facsimile (650) 780-9030
GRFabian@FarSightPatent.com

Fax Cover Sheet

Date: Monday, September 10, 2007 **Time:** 3:25 PM
To: Commissioner for Patents **Phone:** none
United States Patent and Trademark Office **Fax:** 1-571-273-8300
From: Gary R. Fabian **Phone/Fax:** (650) 780-9030
Registration No. 33,875
Re: U.S. Patent Application Serial No. 10/669,768 (Onyx Ref. ONYX1047.DIV)

Number Of Pages Including Cover Sheet: 3 (Three pages)

Message

THE ATTACHED DOCUMENTS ARE TO BE
MADE OF OFFICIAL RECORD

Transmitted herewith for filing in the above-referenced application are the following documents:

1. Status Inquiry Regarding Petition to the Director; and
2. Certificates of Facsimile Transmission.

This message and its attachments contain information that may be confidential and privileged (e.g., Confidential and/or Subject to Attorney/Client Privilege and/or Subject to Agent/Client Privilege (see, 37 CFR §10.56 and §10.57)). Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone the message, attachments, or any information contained in the message or attachments. If you have received the message in error, please advise the sender and destroy the message, as well as any accompanying attachments. Thank you very much.

Please contact us at (650) 780-9030 if you have any problems with this transmission.

RECEIVED
CENTRAL FAX CENTEROnyx Dkt No. ONYX1047.DIV
SEP 10 2007 SSN: 10/669,768
PATENT

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)	
I hereby certify that this correspondence is being facsimile transmitted to the Commissioner for Patents, United States Patent and Trademark Office, (Fax No. 571-273-8300) on the date indicated.	
Signature <i>Gary H. Fabian</i>	Date of Transmittal <i>10 Sept 2007</i>

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
In Re Application of: Shen, Y., et al.	Confirmation No. 8135
Serial No.: 10/669,768	Art Unit: 1633
Filing Date: 24 September 2003	Examiner: M. Marvich
Title: ADENOVIRUS E1B-55K SINGLE AMINO ACID MUTANTS AND METHODS OF USE	

STATUS INQUIRY REGARDING PETITION TO THE DIRECTOR

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On 9 July 2007 applicants filed a Petition to the Director of Technology Center 1600 under 37 C.F.R. § 1.181 Regarding an Improper Action by the Examiner in Ex Parte Prosecution, including Exhibits A, B, C, and D. The petition was filed in response to a non-final rejection, mailed 9 May 2007.

Applicants must soon respond to the non-final rejection. A decision from the Director on applicants' petition is greatly desired before applicants file a response to the non-final rejection.

Accordingly, applicants respectfully request to be informed of the status of the petition to the Director in the above-referenced case. Further, if the Director has not already acted on the petition, applicants respectfully request an estimate of the date by which the Director is expected to act on the petition.

Onyx Dkt No. ONYX1047.DIV
USSN: 10/669,768
PATENT

Authorization to Charge Deposit Account: No additional fees are believed due in connection with this paper. However, the Commissioner is hereby authorized to charge to Deposit Account No. 15-0615 (please reference ONYX 1047.DIV) any fees required for the Petition to the Director of Technology Center 1600 under 37 C.F.R. § 1.181 or any fees required by this paper under 37 C.F.R. §§ 1.16, 1.17 and 1.21, with the exception of the payment of the Issue Fee.

Respectfully submitted,

Dated: 10 Sept 2007

By: Gary R. Fabian
Gary R. Fabian, Ph.D.
Registration No. 33,875
Agent for Applicants

ONYX Pharmaceuticals, Inc.
2100 Powell Street
Emeryville, CA 94608
Phone: (510) 597-6502
Facsimile: (510) 597-6610